

REMARKS

In the present amendment, claims 39-43, 48-50, and 52-71 are currently pending. Claims 1-38, 44-47, and 51 were previously canceled. Claims 52-71 were previously added. No claims have been amended. No new matter has been added to the application. The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to Deposit Account No. 19-1090.

35 U.S.C. § 102(b) Rejection

The Examiner has rejected claims 39-41, 43, and 55 as being anticipated by Corsan (GB 457953). Corsan is directed to a method of producing decorative designs on glass (column 1, lines 51-56). Corsan teaches using a collection of iron rods, bars, copper strips, or pattern forming elements of a mould (hereinafter referred to as “design elements”) to form a decorative pattern (column 2, lines 81-83, lines 91-92; column 3, lines 36-38). The design elements are laid on a level surface, such as the bed of a kiln (column 3, lines 18-22). A glass sheet is *placed on* the design elements and is then heated until it softens and sinks into the interstices formed therein (column 2, lines 84-87; emphasis added). The glass is permitted to cool, thus developing an impression representative of the design elements (column 2, lines 87-89).

Applicants’ independent claim 39 recites, *inter alia*, “supporting a sheet of glass ‘spaced apart above the pattern of ceramic-based powder’” (emphasis added). Corsan does not teach, suggest or provide any motivation to deposit a ceramic-based powder or to support a sheet of glass “spaced apart above the pattern.” Conversely, Corsan teaches that the sheet of glass is placed directly onto the aforementioned design elements before the glass has begun to melt, in fact the sheet of glass in Corsan is never spaced apart above the design elements.

The method claimed by Applicants creates a one-of-a-kind impression due to the fact that the glass is “spaced apart” from the powder and subsequently transitions onto the powder as the glass melts. In such an embodiment, the glass forms around the powder as it melts. In addition, regions of the melted glass, once they make contact with the powder, experience a local temperature change to slow the progression of the local melted glass forming

on the powder. A cascading, unique impression may be formed as the melted glass interacts and contacts the powder.

The method taught in Corsan results in a substantially different impression in the glass than would result from the method of Applicants' claim 39. The method taught in Corsan results in the powder being crushed by the weight of the non-melted glass because Corsan teaches only that the glass is *placed on* the design elements and is then heated until it softens (column 2, lines 84-87; emphasis added). Consequently, Applicants submit that Corsan does not anticipate or render obvious independent claim 39 or claims 40-41, 43, and 55, which depend from claim 39. Accordingly, all of these claims are allowable under Section 102 and Section 103.

35 U.S.C. § 103(a) Rejections

The Examiner rejected claim 42 under 35 U.S.C. § 103(a) as being obvious over Corsan in view of Dorough, Jr. (5,622,019). Applicants respectfully traverse this rejection. Claim 42 depends from claim 39 and the Examiner does not contend that Dorough, Jr. discloses the features missing from Corsan. Consequently, Applicants assert that claim 42 is not rendered obvious by Corsan in view of Dorough, Jr.

The Examiner further rejected dependent claims 48-50 and 53 as being obvious over Corsan. Applicants respectfully traverse this rejection. Claims 48-50 and 53 depend from claim 39 and based on the foregoing discussion, Applicants have already asserted that Corsan does not teach the features of the allowable base claim 39, therefore claims 48-50 and 53 are not rendered obvious solely by Corsan.

The Examiner further rejected dependent claim 54 as being obvious over Corsan in view of Hrifko (5,454,193). Applicants respectfully traverse this rejection. Claim 54 depends from claim 39 and the Examiner does not contend that Hrifko discloses the features missing from Corsan. Consequently, Applicants assert that claim 54 is not rendered obvious by Corsan in view of Hrifko.

The Examiner has rejected dependent claims 52 and 63 as being obvious over Corsan in view of Lindenberg (6,668,586). Lindenberg teaches applying colored printing and successive layers of adhesive 3 and high-temperature resistant layers of powder 4 onto one

surface of a glass slab 1, referred to as the coated surface (column 4, lines 6-18). The coated surface of the glass slab 1 is then placed onto a base 5 and submitted to a temperature in the range of 780 °C to 810 °C (column 4, lines 19-33). In the heating process, the colors fuse with the glass slab 1 and the adhesive 3 volatizes, thus leaving only the powder 4, which is then brushed off to obtain a finished, decorative piece of glass (column 4, lines 34-39).

Both Corsan, discussed above, and Lindenberg teach that the unheated glass is placed directly onto the design elements, regardless as to whether these elements are bars, rods, metal strips, or powder. As previously noted, claims 39 and 57 recite, *inter alia*, “supporting a sheet of glass *spaced apart above the pattern* of ceramic-based powder” (emphasis added). Accordingly Applicants submit that Corsan and Lindenberg, either singly, or in combination, do not render claims 52 and 63 obvious under Section 103 because claim 52 depends from claim 39 and claim 63 depends from claim 57, respectively.

The Examiner has also rejected claims 54, 57, 58, 64, 70, and 71 as being obvious over Corsan. With respect to independent claim 57, the Examiner asserts that the metal strips taught in Corsan could be construed as or used to form a frame. First, Corsan does not teach or suggest that the metal strips can be used as a frame, but suggests that the metal strips are only used as decorative forming elements to achieve a desired impression in the glass. The Examiner’s extrapolation of the disclosure in Corsan appears to be impermissible hindsight because Corsan is silent about forming a frame. MPEP § 2141.01 (III). In addition, Applicants provide the frame to ensure that the glass is spaced apart from the powder. Therefore, even assuming *arguendo* that the metal strips of Corsan were used to make a frame, Corsan does not teach that such a frame would keep the glass *spaced apart* from the other metal strips that were being used as the design elements. Consequently, claim 57 is not obvious in light of Corsan, and dependent claims 54, 58, 64, 70, and 71 are allowable on the basis that claims 39, 57, and 67, respectively, are allowable.

The Examiner has also rejected dependent claim 56 as being obvious over Corsan and in further view of the Examiner’s remarks. Claim 56 depends from claim 39 and is allowable on the basis that claim 39 is allowable.

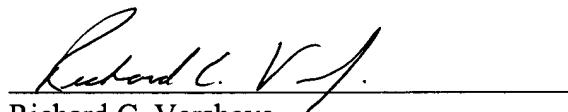
The Examiner has also rejected claims 59-62 and 65-68 as being obvious over Corsan in further view of Hrifko. Hrifko generally relates to an improved window edge shape

that permits the window to be sturdily contact-mated into an internal frame, such as a windshield frame for a recreational vehicle (Abstract). Based on the foregoing remarks and that independent claim 67 recites, *inter alia*, "supporting a sheet of glass spaced apart above the pattern of ceramic-based powder," Applicants submit that the cited references either singly, or in combination, do not render claims 59-62 and 65-68 obvious under Section 103.

Conclusion

In light of the above amendments and remarks, Applicants respectfully submit that all pending claims are allowable and respectfully requests that the Examiner reconsider this application and timely allow all pending claims. Examiner Herring is encouraged to contact the undersigned by telephone to discuss the above distinctions between the claims and the applied references, if desired, or informalities in the claims, if any. All of the claims remaining in the application are now clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,
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